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Attorneys for Defendant Cambridge Financial Group, Inc.

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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CORBIS CORPORATION,	:	
a Nevada corporation,	:	Civil Action No. 07 Civ. 9316 (RJH)
	:	
Plaintiff,	:	
	:	<b>ANSWER OF DEFENDANT</b>
-against-	:	<b>CAMBRIDGE FINANCIAL GROUP,</b>
	:	<b><u>INC.</u></b>
CAMBRIDGE FINANCIAL GROUP, INC.	:	
an Ohio corporation,	:	
	:	Jury Trial Demanded
Defendant.	:	
-----	x	

Defendant Cambridge Financial Group, Inc. (“Defendant” or “Cambridge”), in Answer to the Complaint filed by Plaintiff Corbis Corporation (“Plaintiff” or “Corbis”) against Cambridge, states as follows:

The numbered paragraphs of this Answer correspond to the numbers paragraphs of Plaintiff’s Complaint. All allegations of the Complaint are denied except as expressly admitted herein.

1. In response to paragraph 1 of the Complaint, Defendant states that the Complaint speaks for itself. To the extent paragraph 1 of the Complaint contains any factual allegations, Defendant denies them. Defendant specifically denies that it has infringed copyrights or violated any provision of the Digital Millennium Copyright Act (“DMCA”).

2. Defendant admits that it transacts business in New York. Defendant denies the remaining allegations contained in paragraph 2.

3. Denied.

4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4, and therefore denies the same.

5. Admitted.

6. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6, and therefore denies the same.

7. Defendant is without knowledge or information sufficient to form a belief concerning Plaintiff's alleged ownership of copyrighted images, and therefore denies the same. Defendant denies the remaining allegations contained in paragraph 7.

8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8, and therefore denies the same.

9. Defendant admits that its principal place of business is located in the State of Ohio, that it is an investment advisor duly registered with the United States Securities and Exchange Commission, and that it serves as a consultant to institutional investors and manages discretionary accounts. Defendant denies the remaining allegations of this paragraph.

10. Denied.

11. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11, and therefore denies the same.

12. Denied.

13. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 13, and therefore denies the same.

**FIRST CAUSE OF ACTION  
COPYRIGHT INFRINGEMENT**

14. Defendant incorporates by reference its responses to paragraphs 1-13.

15. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15, and therefore denies the same.

16. Denied.

17. Denied.

18. Denied.

19. Denied.

**SECOND CAUSE OF ACTION  
DMCA VIOLATION**

20. Defendant incorporates by reference its responses to paragraphs 1-19.

21. Denied.

22. Denied.

**FIRST AFFIRMATIVE DEFENSE**

23. The Complaint fails to state a claim against Cambridge upon which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

24. Plaintiff's claims are barred, in whole or in part, by the doctrine of laches or estoppel.

**THIRD AFFIRMATIVE DEFENSE**

25. Defendant's alleged infringement, if any, was de minimus.

**FOURTH AFFIRMATIVE DEFENSE**

26. Defendant's website was developed and created by an independent, third-party contractor, who represented to Defendant that all necessary rights and permissions for the website were properly obtained.

27. Defendant was not aware of and had no reason to believe that its acts constituted any alleged infringement of Plaintiff's alleged rights.

28. Defendant's alleged infringement, if any, constituted innocent infringement under 17 U.S.C. § 504(c)(2).

**FIFTH AFFIRMATIVE DEFENSE**

29. Defendant serves notice that it intends to rely upon and assert all other affirmative defenses which become apparent or available during the course of discovery in this proceeding, and hereby reserves the right to amend its Answer to assert any and all such affirmative defenses.

**WHEREFORE**, Defendant Cambridge respectfully requests that the Court:

- A. Dismiss Plaintiff's claims with prejudice;
- B. Deny Plaintiff's requests for injunctive relief;
- C. Enter judgment for Defendant on each and every count of Plaintiff's

Complaint;

D. Order Plaintiff to pay Defendant's reasonable and necessary attorney fees, costs, and other expenses in this matter; and

E. Grant Defendant such other and further relief that the Court deems just and equitable.

**DEFENDANT DEMANDS TRIAL BY JURY UNDER F.R.Civ.P. 38(b)**

Dated: December 3, 2007  
New York, New York

Respectfully submitted,

COWAN, DeBAETS, ABRAHAM &  
SHEPPARD LLP

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